

DATE

Karla Courtade  
3511 Allene Street  
Brusly, LA 70719

**Re: Docket No. 2022-220  
Advisory Opinion**

Dear Ms. Courtade:

The Louisiana Board of Ethics, at its meeting on May 6, 2022, considered your request for an advisory opinion regarding the post-employment restrictions of the Code of Governmental Ethics ("Code") following your retirement from the Louisiana Department of Transportation and Development ("DOTD").

#### **FACTS PROVIDED**

You are currently employed as the Statewide Highway Safety Improvement Program Manager in the Highway Safety Office ("HSO") with DOTD. Your duties include developing and managing the Louisiana Highway Safety Improvement Program; ensuring that safety funded projects are on schedule and within budget; coordinating safety project activities between DOTD, Federal Highway Administration and Metropolitan Planning Organization; and, preparing the annual Federal Highway Administration Highway Safety Improvement Plan.

You intend to retire from your position and would like to apply for a position as a Fatality Analysis Reporting System ("FARS") Analyst with the Center for Analytics and Research in Transportation Safety ("CARTS") at Louisiana State University ("LSU"). You stated that the duties of an analyst require in-depth review of fatal crash reports and coding into the system through the National Highway Traffic Safety Administration.

You provided that your current responsibilities as Highway Safety Improvement Program Manager do not include any involvement with FARS or CARTS. They also do not involve review of fatal crash data or the management of the contract with CARTS.

#### **LAW**

**La. R.S. 42:1121A(1)** prohibits a former agency head, for a period of two years following the termination of his public service as the head of such agency, from assisting another person, for compensation, in a transaction, or in an appearance in connection with a transaction, involving that agency or render any service on a contractual basis to or for such agency.

**La. R.S. 42:1102(2)(a)(i)** defines “agency” for public servants in the twenty principal departments of the executive branch of state government, to mean the office in which such public servant carries out his primary responsibilities

**La. R.S. 42:1102(3)** defines “agency head” to mean the chief executive or administrative officer of an agency.

**La. R.S. 42:1102(16)** defines “person” to mean an individual or legal entity other than a governmental entity, or agency thereof.

### **ANALYSIS**

Your agency for purposes of the Code was the Statewide Highway Safety Improvement Program of HSO within DOTD pursuant to La. R.S. 42:1102(2)(a)(i). Since you are employed as the Statewide Highway Safety Improvement Program Manager, you would be considered an agency head.

As the agency head over the Statewide Highway Safety Improvement Program within the HSO, you are prohibited by La. R.S. 42:1121A(1) from (1) assisting another person, for compensation, in a transaction, or in an appearance in connection with a transaction involving the HSO; and (2) rendering any services on a contractual basis to or for such agency.

Since the new position with CARTS is a part of LSU, you would not be assisting a “person” for purposes of Section 1121A(1). Additionally, you would not be rendering services back to the Statewide Highway Safety Improvement Program of HSO.

### **CONCLUSION**

The Board concluded, and instructed me to inform you, that the Code would not prohibit you from being employed as an analyst with CARTS at LSU.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts as presented may result in a different application of the provisions of the Code of Governmental Ethics. The Board issues no opinion as to past conduct or as to laws other than the Code of Governmental Ethics, the Campaign Finance Disclosure Act, the Lobbyist Disclosure Acts, and the conflict of interest provisions contained in the Louisiana Gaming Control Law. If you have any questions, please contact me at (800) 842-6630 or (225) 219-5600.

Sincerely,

**LOUISIANA BOARD OF ETHICS**

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David M. Bordelon  
For the Board